IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

JAMMIE EDWARD ADKINS, et al.,			
Pl	laintiffs,		
v.		CIVIL ACTION NO.	2:09-mc-00214
WILSHIRE CREDIT CORPORATION, et al.,			
D	efendants.		
JAMMIE EDWARD ADKINS, et al.,			
Pl	laintiffs,		
v.		CIVIL ACTION NO.	2:10-cv-00314
WILSHIRE CREDIT CORPORATION,			
D	efendant,		
v.			
JAMMIE EDWARD ADKINS, et al.,			
D	ebtors.		

MEMORANDUM OPINION AND ORDER

On March 12, 2010, this court entered a Memorandum Opinion and Order [2:09-mc-214, Docket 3] in Case No. 2:09-mc-214, granting defendant Wilshire Credit Corporation's Motion to Withdraw Reference of this Adversary Proceeding. Pursuant to the court's order granting the motion to withdraw reference, the Clerk docketed a separate civil action, Case No. 2:10-cv-314, involving the same parties. No additional activity has occurred in either proceeding since March

12, 2010. The court has been advised by counsel for the defendant that, as a result of an amendment of the pleadings in the adversary bankruptcy proceedings, Wilshire Credit Corporation is no longer a party to the underlying dispute. Accordingly, the court **DISMISSES** without prejudice Case No.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

2:09-mc-214 and Case No. 2:10-cv-314 for failure to prosecute.

ENTER: December 7, 2010

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